

**RICHARD J. HAYES, JR.**

ATTORNEY AT LAW

13809 BLACK MEADOW ROAD  
GREENWOOD PLANTATION  
SPOTSYLVANIA, VIRGINIA 22553

PRACTICE LIMITED TO MATTERS BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION

DOCKET FILE COPY ORIGINAL

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July 21, 1997

ORIGINAL

Mr. William F. Caton, Secretary  
Federal Communications Commission  
1919 M Street, N.W. - Room 222  
Washington, D.C. 20554

**Re: Application of Charles A. Farmer  
Channel 280C3, Ilwaco, Washington  
FCC File No. BPH-9205218MA  
(MM Docket No. 93-301)**


Dear Mr. Caton:

Transmitted herewith, on behalf of Elizabeth Farmer, personal representative of Charles A. Farmer, through counsel, is an original and nine (9) copies of a "Petition for Leave to Amend" and an "Amendment" to the Application of Charles A. Farmer, in the above-captioned proceeding.

Should any questions arise in regard to this matter, please communicate with the undersigned, directly.

Respectfully submitted,

By:

  
Richard J. Hayes, Jr., Esq.  
Counsel to Elizabeth Farmer, Personal  
Representative of Charles A. Farmer

RJH:kb  
Encl.

029

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON DC 20554**

**IN RE APPLICATIONS OF:**

**CHARLES A. FARMER**

**FCC FILE NO. BPH-920518MA**

**RICHARD M. SCHAFBUCH**

**FCC FILE NO. BPH-920521MI**

**FOR A NEW FM STATION CONSTRUCTION PERMIT  
CHANNEL 280C3, ILWACO, WASHINGTON**

**MM DOCKET NO. 93-301**

**TO: HONORABLE JUDGE EDWARD LUTON  
ADMINISTRATIVE LAW JUDGE**

**PETITION FOR LEAVE TO AMEND  
THE APPLICATION OF CHARLES A. FARMER**

COMES NOW, Elizabeth Farmer, Personal Representative of Charles A. Farmer, through counsel, with this "Petition for Leave to Amend" the application of Charles A. Farmer in the above-captioned proceeding.

Elizabeth Farmer seeks leave to submit this amendment pursuant to Section 1.65 of the Commission's Rules due to a substantial and significant change in information furnished to the Commission. Recently, Charles A. Farmer passed-away. Mrs. Farmer's capacity as personal representative of the Estate of Charles A. Farmer has been established and, in that capacity, she seeks leave to inform the Commission that she will prosecute the application as the duly appointed personal representative of the estate of her husband.. The attached amendment addresses issues concerning the substitution of Elizabeth Farmer, Personal Representative, as the individual who will prosecute this application.


Insofar as this amendment is required by the Commission's Rules, good cause exists for its acceptance. It is therefore respectfully requested that this "Petition for Leave to Amend the Application of Charles A. Farmer" be granted and that the attached Amendment be accepted.

**Petition for Leave to Amend  
The Application of Charles A. Farmer  
Page Two**

---

Respectfully submitted,

Elizabeth Farmer, Personal Representative of  
The Estate of Charles A. Farmer

By: 

Richard J. Hayes, Jr.  
Counsel to Petitioner

Richard J. Hayes, Jr.  
Attorney at Law  
13809 Black Meadow Road  
Spotsylvania, Virginia 22553

(540) 972-2690

June 12, 1997

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON DC 20554**

**IN RE APPLICATIONS OF:**

**CHARLES A. FARMER**

**FCC FILE NO. BPH-920518MA**

**RICHARD M. SCHAFBUCH**

**FCC FILE NO. BPH-920521MI**

**FOR A NEW FM STATION CONSTRUCTION PERMIT  
CHANNEL 280C3, ILWACO, WASHINGTON**

**MM DOCKET NO. 93-301**

**TO: HONORABLE JUDGE EDWARD LUTON  
ADMINISTRATIVE LAW JUDGE**

**AMENDMENT TO  
THE APPLICATION OF CHARLES A. FARMER**

COMES NOW, Elizabeth Farmer, Personal Representative of Charles A. Farmer, through counsel, with this "Amendment to the Application of Charles A. Farmer."

Charles A. Farmer passed-away. His "Last Will and Testament", attached hereto as Exhibit One, establishes Elizabeth Farmer as his Personal Representative. This amendment is submitted to establish that Elizabeth Farmer, Personal Representative, will be substituted for Charles A. Farmer in this proceeding. To simplify matters, FCC Form 301 is attached hereto as Exhibit Two. Only those matters and issues affected by this amendment will be reflected in the attached FCC Form 301. Consequently, if the matter is not addressed in the attached FCC Form 301, it is not affected by this amendment.

Elizabeth Farmer, pursuant to Section 1.221(c) of the Commission's Rules hereby states that she will appear on the date (to be) fixed for hearing and present evidence on issues (to be) specified in a Hearing Designation Order. This case was originally designated for hearing pursuant to a Hearing Designation Order released on October 28, 1992 but the case was subsequently "frozen". This Notice of Appearance is included for the Record.

**AMENDMENT TO**  
**THE APPLICATION OF CHARLES A. FARMER**

Therefore, please amend the application of Charles A. Farmer to reflect the representations made above and in the documents attached hereto.

Respectfully submitted,

A handwritten signature in cursive script that reads "Elizabeth Farmer Personal Rep.".

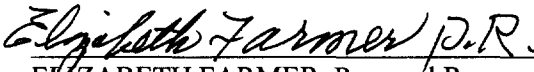
Elizabeth Farmer, Personal Representative of  
The Estate of Charles A. Farmer

June 12, 1997

**AFFIDAVIT OF  
ELIZABETH FARMER, Personal Representative of  
THE ESTATE OF CHARLES A. FARMER**

I, ELIZABETH FARMER, personal representative of the Estate of Charles A. Farmer, hereby state,  
under penalty of perjury, as follows:

1. I have been appointed as the personal representative of the Estate of Charles A. Farmer.
  2. All the representations made in this "Petition for Leave to Amend" and in the "Amendment"
- are true, complete and correct to the best of my information, knowledge and belief.

  
\_\_\_\_\_  
ELIZABETH FARMER, Personal Representative of  
THE ESTATE OF CHARLES A. FARMER

Dated: July 9, 1997

**AMENDMENT TO  
THE APPLICATION OF CHARLES A. FARMER**

**EXHIBIT ONE**

**LAST WILL AND TESTAMENT OF CHARLES A. FARMER**

# LAST WILL AND TESTAMENT

OF

Charles Allen Farmer

## Identity

I, Charles Allen Farmer, residing in the County of Clatsop, State of Oregon, being of sound mind and memory, and not acting under duress or undue influence of any person whomsoever, hereby declare this to be my Last Will and Testament, and I do hereby revoke all other and former Wills and Codicils to Wills heretofore made by me.

All reference made herein to "spouse" or to "my spouse" refers to the person to whom I am currently married, namely, Elizabeth Farmer.

My children are Russ Lee Farmer and Penny El Shaffery.

## Personal and Household Effects

It is my intent that all my personal and household effects were transferred to my Living Trust as a result of the "ASSIGNMENT OF FURNITURE, FURNISHINGS AND PERSONAL EFFECTS" signed this date. If there is any question regarding the ownership or disposition of these assets, it is my desire that such assets pour into the Living Trust, signed by me this date, in accordance with the provisions of the section titled "Residue of Estate".

## Residue of Estate

I give, devise and bequeath all the rest, residue and remainder of my property of every kind and description (including lapsed legacies and devises), wherever situated and whether acquired before or after the execution of this Will, to the Trustee under that certain Trust executed by me on the same date of the execution of this Will. The Trustee shall add the property bequeathed and devised by this Item to the corpus of the above described Trust and shall hold, administer and distribute said property in accordance with the provisions of the said Trust, including any amendments thereto made before my death.

If for any reason the said Trust shall not be in existence at the time of my death, or if for any reason a court of competent jurisdiction shall declare the foregoing testamentary disposition to the Trustee under said Trust as it exists at the time of my death to be invalid, then I give all of my estate, including the residue and remainder thereof, to that person who would have been the Trustee under said Trust, as Trustee, and to their substitutes



-and successors under the Trust, as such Trust is described hereinabove. Property held by the designated Trustees shall be held, managed, invested, reinvested and distributed by the Trustees upon the terms, Trusts and conditions contained in said Trust pertaining to the period beginning with the date of my death. The terms, Trusts and conditions shall be those as were constituted in said Trust (giving effect to amendments, if any, hereafter made) immediately prior to its state of non-existence or determination of invalidity, and for that purpose, I do hereby incorporate such Trust by reference into this, my Will.

#### Personal Representative

I hereby nominate and appoint Elizabeth Farmer as Personal Representative of this, my Last Will and Testament, to serve without bond.

In the event the first named Personal Representative shall predecease me, or is unable or unwilling to act as my Personal Representative for any reason whatsoever, then and in that event, I hereby nominate and appoint Russ Lee Farmer to serve without bond as Personal Representative (Co-Personal Representative if more than one person).

In the event the second named Personal Representative shall predecease me, or is unable or unwilling to act as my Personal Representative for any reason whatsoever, then and in that event, I hereby nominate and appoint Penny El Shaffery to serve without bond as Personal Representative (Co-Personal Representatives if more than one person).

When more than one person is named with others to act as Co-Personal Representatives and one of the named persons is unable or unwilling for any reason to serve or to continue to serve, and no additional persons are named herein to take the place of such declining or retiring Personal Representative, the Settlers direct that the remaining named Co-Personal Representative(s) shall continue to serve as Co-Personal Representatives (or if one only remains, Personal Representatives) hereof without the approval of any court.

Whenever the word "Personal Representative" or any modifying or substituted pronoun therefor is used in this, my Will, such words and respective pronouns shall be held and taken to include both the singular and the plural, the masculine, feminine and neuter gender thereof, and shall apply equally to the Personal Representative named herein and to any successor or substitute Personal Representative acting hereunder, and such successor or substitute Personal Representative shall possess all the rights, powers and duties, authority and responsibility conferred upon the Personal Representative originally named herein.

### Personal Representative Powers

By way of illustration and not of limitation and in addition to any inherent, implied or statutory powers granted to Personal Representative generally, my Personal Representative is specifically authorized and empowered with respect to any property, real or personal, at any time held under any provision of this my Will: to allot, allocate between principal and income, assign, borrow, buy, care for, collect, compromise claims, contract with respect to, continue any business of mine, convey, convert, deal with, dispose of, enter into, exchange, hold, improve, incorporate any business of mine, invest, lease, manage, mortgage, grant and exercise options with respect to, take possession of, pledge, receive, release, repair, sell, sue for, make distributions in cash or in kind or partly in each without regard to the income tax basis of such asset and in general, exercise all of the powers in the management of my Estate which any individual could exercise in the management of similar property owned in its own right upon such terms and conditions as to my Personal Representative may seem best, and execute and deliver any and all instruments and do all acts which my Personal Representative may deem proper or necessary to carry out the purposes of this, my Will, without being limited in any way by the specific grants of power made, and without the necessity of a court order.

My Personal Representative shall have absolute discretion, but shall not be required, to make adjustments in the rights of any beneficiaries, or among the principal and income accounts to compensate for the consequences of any tax decision or election, or of any investment or administrative decision, that my Personal Representative believes has had the effect, directly or indirectly, of preferring one beneficiary or group of beneficiaries over others. In determining the federal estate and income tax liabilities of my estate, my Personal Representative shall have discretion to select the valuation date and to determine whether any or all of the allowable administration expenses in my estate shall be used as federal estate tax deductions or as federal income tax deductions and shall have the discretion to file a joint income tax return with my spouse.

### Glossary of Terms

For the purposes of this, my Will, "children" means the lawful blood descendants in the first degree of the parent designated; and "issue" and "descendants" mean the lawful blood descendants in any degree of the ancestor designated; provided, however, that if a person has been adopted, that person shall be considered a child of such adopting parent and such adopted child and his issue shall be considered as issue of the adopting parent or parents and of anyone who is by blood or adoption an ancestor of the adopting parent or either of the adopting parents. The terms "child", "children", "issue", "descendant" and "descendants" are those terms preceded by

the terms "living" or "then living" shall include the lawful blood descendants in the first degree of the parent designated, even though such descendant is born after the death of such parent.

#### Specific Omissions

I have intentionally omitted any and all persons and entities from this, my Last Will and Testament, except those persons and entities specifically named herein. If any person or entity shall challenge any term or condition of this Will, or of the Living Trust to which I have made reference in the sections "Household and Personal Effects" and "Residue of Estate", then, to that person or entity I give and bequeath the sum of one dollar (\$1.00) only in lieu and in place of any other benefit, grant, bequest or interest which that person or interest may have in my Estate or the Living Trust and its Estate.

#### Simultaneous Death

If any other beneficiary should not survive me for sixty (60) days, then it shall be conclusively presumed for the purposes of this, my Will, that said beneficiary predeceased me.

IN WITNESS WHEREOF, I have hereunto set my hand and declared this to be my Last Will and Testament this 29<sup>th</sup> day of November, 1994.

  
Charles Allen Farmer

THE FOREGOING INSTRUMENT, including the pages signed by us as witnesses, was at the date hereof, by the testator/testatrix signed as and declared to be his/her Last Will and Testament, in the presence of us, who, at his/her request and in his/her presence, and in the presence of each other, have subscribed our names as witnesses thereto. Each of us observed the signing of this Will by the testator/testatrix and by each other subscribing witness and knows that each signature is the true signature of the person whose name was signed.

Each of us is now more than eighteen (18) years of age and a competent witness and may be located at the address set forth after each name.

We are acquainted with the testator/testatrix. At this time, he is over eighteen (18) years of age and, to the best of our knowledge, he/she is of sound mind and is not acting under duress, menace, fraud, misrepresentation, or undue influence.

We declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on this 29<sup>th</sup> day of AUGUST,  
19 94, at ROCKY, Oregon:

William Handen  
Witness

Address Route 2 Box 373-B  
Walden, Oregon 97146

Donna R. Van Velsor  
Witness

Address 126 + Jerome  
Netuma, Oregon 97103

A F F I D A V I T

STATE OF OREGON

COUNTY of CLATSOP

)  
) ss.  
)

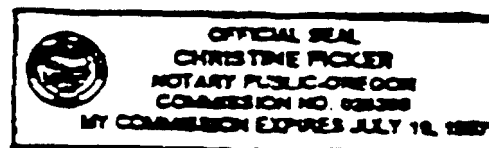
Personally appeared WILLIAM HAYDEN and DONNA R. VAN VELZEN who, being duly sworn, depose and say that they attested the said Will and they subscribed the same at the request and in the presence of the said Testator/Testatrix and in the presence of each other, and the said Testator/Testatrix signed said Will in their presence and acknowledged that he/she had signed said Will and declared the same to be his/her LAST WILL AND TESTAMENT, and deponents further state that at the time of the execution of said Will the said Testator/Testatrix appeared to be of lawful age and sound mind and memory and there was no evidence of undue influence. The deponents make this Affidavit at the request of the Testator/Testatrix.

Willie Hayden

Donna R. Van Velzen

SUBSCRIBED AND SWORN to before me this 29th day of August, 1994.

Christine M. Fickler  
NOTARY PUBLIC  
My Commission Expires: 7-19-1997



In the Circuit Court of the State of Oregon  
for the County of Clatsop PROBATE DEPARTMENT

96 DEC -6 AM 11:31

Estate of:

No. P96-127

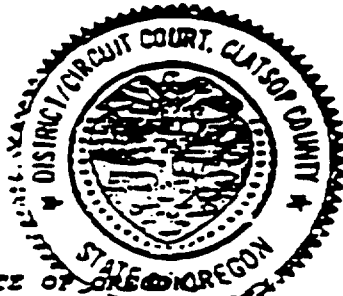
CHARLES ALLEN FARMER

Deceased

LETTERS TESTAMENTARY

THIS CERTIFIES that the will of Charles Allen Farmer  
deceased, has been proved and Elizabeth Farmer  
has/~~have~~ been and is/~~is~~ at the date hereof the duly appointed, qualified and acting  
PERSONAL REPRESENTATIVE of the will and estate of the decedent.

IN WITNESS WHEREOF, I, as Clerk of the Circuit Court of the State of Oregon  
for the County of Clatsop, in which proceedings for administration upon the said  
estate are pending, do hereby subscribe my name and affix the seal of said court the  
6 day of December, 1996.



STATE OF OREGON  
County of Clatsop ) ss.

PHILLIP A MCCOLLISTER  
TRIAL COURT CLERK

By Michele L Nielson  
Clerk of the Court  
Michele L Nielson

I, Clerk of the Circuit Court of the State of Oregon for Clatsop County hereby  
do certify that the foregoing copy of Letters Testamentary has been by me compared  
with the original, that it is a correct transcript therefrom and of the whole of such  
original Letters Testamentary as the same appear on file and of record in my office  
and in my custody and that said Letters are still in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of  
said court this 6 day of December, 1996.

PHILLIP A MCCOLLISTER  
TRIAL COURT CLERK



By Michele L Nielson  
Clerk of the Court  
Michele L Nielson

**AMENDMENT TO  
THE APPLICATION OF CHARLES A. FARMER**

**EXHIBIT TWO**

**AMENDED SECTIONS OF FCC FORM 301**

FOR  
FCC  
USE  
ONLY

# FCC 301

## APPLICATION FOR CONSTRUCTION PERMIT FOR COMMERCIAL BROADCAST STATION

FOR COMMISSION USE ONLY

FILE NO.

### Section I - GENERAL INFORMATION

1. APPLICANT NAME (Last, First, Middle Initial)														
<b>ELIZABETH FARMER (Personal Representative of the Estate of Charles A. Farmer)</b>														
MAILING ADDRESS (Line 1) (Maximum 35 characters)														
<b>133 Grand Avenue</b>														
MAILING ADDRESS (Line 2) (Maximum 35 characters)														
CITY <b>Astoria</b>		STATE OR COUNTRY (if foreign address) <b>Oregon</b>	ZIP CODE <b>97103</b>											
TELEPHONE NUMBER (include area code) <b>503-325-5842</b>		CALL LETTERS <b>New FM</b>	OTHER FCC IDENTIFIER (IF APPLICABLE) <b>BPH-920518MA - MM Doc. 93-301</b>											
2. A. Is a fee submitted with this application?			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No											
B. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1113) and go to Question 3.														
<input type="checkbox"/> Governmental Entity <input type="checkbox"/> Noncommercial educational licensee <input checked="" type="checkbox"/> Other (Please explain): <b>Please See Exhibit Number One</b>														
C. If Yes, provide the following information:														
Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in the "Mass Media Services Fee Filing Guide." Column (B) lists the Fee Multiple applicable for this application. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number listed in Column (B).														
(A)	(B)	(C)												
FEE TYPE CODE	FEE MULTIPLE (if required)	FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	FOR FCC USE ONLY											
(1) <table border="1" style="display: inline-table; width: 100px; height: 30px; vertical-align: bottom;"><tr><td style="width: 33.33%;"></td><td style="width: 33.33%;"></td><td style="width: 33.33%;"></td></tr></table>				<table border="1" style="display: inline-table; width: 100px; height: 30px; vertical-align: bottom;"><tr><td style="width: 25%;"></td><td style="width: 25%;"></td><td style="width: 25%;"></td><td style="width: 25%;"></td></tr></table>					<table border="1" style="display: inline-table; width: 150px; height: 30px; vertical-align: bottom;"><tr><td style="width: 50%;">\$</td><td style="width: 50%; text-align: center;"><b>0.00</b></td></tr></table>	\$	<b>0.00</b>	<table border="1" style="display: inline-table; width: 150px; height: 30px; vertical-align: bottom;"><tr><td style="width: 50%;"></td><td style="width: 50%;"></td></tr></table>		
\$	<b>0.00</b>													
To be used only when you are requesting concurrent actions which result in a requirement to list more than one Fee Type Code.														
(2) <table border="1" style="display: inline-table; width: 100px; height: 30px; vertical-align: bottom;"><tr><td style="width: 33.33%;"></td><td style="width: 33.33%;"></td><td style="width: 33.33%;"></td></tr></table>				<table border="1" style="display: inline-table; width: 100px; height: 30px; vertical-align: bottom;"><tr><td style="width: 25%;"></td><td style="width: 25%;"></td><td style="width: 25%;"></td><td style="width: 25%;"></td></tr></table>					<table border="1" style="display: inline-table; width: 150px; height: 30px; vertical-align: bottom;"><tr><td style="width: 50%;">\$</td><td style="width: 50%;"></td></tr></table>	\$		<table border="1" style="display: inline-table; width: 150px; height: 30px; vertical-align: bottom;"><tr><td style="width: 50%;">FOR FCC USE ONLY</td><td style="width: 50%;"></td></tr></table>	FOR FCC USE ONLY	
\$														
FOR FCC USE ONLY														
ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (2), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE.		<table border="1" style="display: inline-table; width: 150px; height: 30px; vertical-align: bottom;"><tr><td style="width: 50%;">TOTAL AMOUNT REMITTED WITH THIS APPLICATION</td><td style="width: 50%;"></td></tr><tr><td style="width: 50%;">\$</td><td style="width: 50%; text-align: center;"><b>0.00</b></td></tr></table>	TOTAL AMOUNT REMITTED WITH THIS APPLICATION		\$	<b>0.00</b>	<table border="1" style="display: inline-table; width: 150px; height: 30px; vertical-align: bottom;"><tr><td style="width: 50%;">FOR FCC USE ONLY</td><td style="width: 50%;"></td></tr></table>	FOR FCC USE ONLY						
TOTAL AMOUNT REMITTED WITH THIS APPLICATION														
\$	<b>0.00</b>													
FOR FCC USE ONLY														



**Section I - GENERAL INFORMATION (Page 2)**

3. This application is for: (check one box)

☐

AM

☒

FM

☐

TV

(b) Channel No. or Frequency  
**280-C3**

(b) Principal  
Community

City

**Ilwaco**

State

**WA**

(c) Check one of the following boxes:

☐

Application for NEW station

☐

MAJOR change in licensed facilities; call sign: \_\_\_\_\_

☐

MINOR change in licensed facilities; call sign: \_\_\_\_\_

☐

MAJOR modification of construction permit; call sign: \_\_\_\_\_

File No. of construction permit; call sign: \_\_\_\_\_

☐

MINOR modification of construction permit; call sign: \_\_\_\_\_

File No. of construction permit; call sign: \_\_\_\_\_

☒

AMENDMENT to pending application: Application File Number: **BPH-920518MA - MM Docket No. 93-301**

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

4. Is this application mutually exclusive with a renewal application?

☐

Yes

☒

No

If Yes, state:

Call letters <b>N/A</b>	Community of License	
	City <b>N/A</b>	State <b>N/A</b>

**Section II - LEGAL QUALIFICATIONS**

Name of Applicant

**ELIZABETH FARMER (Personal Representative of the Estate of Charles A. Farmer)**

1. Applicant is: (check one box below)

☐

Individual

☐

General partnership

☐

For-profit corporation

☒

Other

**Please See  
Exhibit One**☐

Limited partnership

☐

Not-for-profit corporation

2. If the applicant is an unincorporated association or a legal entity other than an individual, partnership, or corporation, describe in an Exhibit the nature of the applicant.

Exhibit No.  
**ONE**

NOTE: The terms "applicant," "parties to this application," and "non-party equity owners in the applicant" are defined in the instructions for Section II of this form. Complete information as to each "party to this application" and "non-party equity owner in the applicant" is required. If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification.

3. If the applicant is not an individual, provide the date and place of filing of the applicant's enabling charter (e.g., a limited partnership must identify its certificate of limited partnership and a corporation must identify its articles of incorporation by date and place of filing):

Date N/A Place N/A

In the event there is no requirement that the enabling charter be filed with the state, the applicant shall include the enabling charter in the applicant's public inspection file. If, in the case of a partnership, the enabling charter does not include the partnership agreement itself, the applicant shall include a copy of the agreement in the applicant's public inspection file.

4. Are there any documents, instruments, contracts or understandings (written or oral), other than instruments identified in response to Question 3, above, relating to future ownership interests in the applicant, including but not limited to, stock pledges or other forms of security, insulated limited partnership shares, nonvoting stock interests, beneficial stock ownership interests, options, rights of first refusal, warrants, or debentures?

☐ Yes ☒ No

If Yes, submit as an Exhibit all such written documents, instruments, contracts, or understandings and provide the particulars of any oral agreement.

Exhibit No.  
**N/A**

5. Complete, if applicable, the following certifications:

- (a) Applicant certifies that no limited partner will be involved in any material respect in the management or operation of the proposed station.

☒ Yes ☐ No

If No, applicant must complete Question 6 below with respect to all limited partners actively involved in the media activities of the partnership.

- (b) Does any investment company (as defined in 15 U.S.C. Section 80 a-3), insurance company, or trust department of any bank have an aggregated holding of greater than 5% but less than 10% of the outstanding votes of the applicant?

☐ Yes ☒ No

If Yes, applicant certifies that the entity holding such interests exercises no influence or control over the applicant, directly or indirectly, and has no representatives among the officers and directors of the applicant.

☐ Yes ☐ NoN/A

## Section II - LEGAL QUALIFICATIONS (Page 2)

6. List the applicant, parties to the application and non-party equity owners in the applicant. Use one column for each individual or entity. Attach additional pages if necessary.

(Read carefully - The numbered items below refer to line numbers in the following table.)

- a. Name and residence of the applicant and, if applicable, its officers, directors, stockholders, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and partners.
- b. Citizenship.
- c. Office or directorship held.
- d. Number of shares or nature of partnership interests.
- e. Number of votes.
- f. Percentage of votes.

NOTE: Radio applicants ONLY: Radio applicants need not respond to subparts g and h of the table. Instead, proceed and respond to Questions 7, 8 and 9, Section II below.

- g. Other existing attributable interests in any broadcast station, including the nature and size of such interests.
- h. All other ownership interests of 5% or more (whether or not attributable), as well as any corporate officership or directorship, in broadcast, cable, or newspaper entities in the same market or with overlapping signals in the same broadcast service, as described in 47 C.F.R. Section 73.3555 and 76.501, including the nature and size of such interests and the positions held.

a.	<b>Elizabeth Farmer Personal Representation of The Estate of Charles A. Farmer 133 Grand Avenue Astoria, oregon 97103</b>		
b.	<b>USA</b>		
c.	<b>Individual Applicant</b>		
d.	<b>Sole Proprietor</b>		
e.	<b>100% Individual Applicant</b>		
f.	<b>N/A</b>		
g.	<b>Please See Exhibit Number Two</b>		
h.	<b>Please See Exhibit Number Two</b>		

**Section II - LEGAL QUALIFICATIONS (Page 3)**

ONLY RADIO APPLICANTS NEED RESPOND TO QUESTIONS 7, 8 AND 9.

7. Does the applicant or any party to the application, own, or have an attributable interest in (a) any AM, FM or TV station; or (b) in a daily newspaper in the same market(s) as the station(s) being proposed? ☒ Yes ☒ No

8. Does the applicant, or any party to the application, broker more than 15 percent of the broadcast hours per week of any AM or FM station in a market in which the applicant, or party to the application, has an attributable interest in any AM or FM station? See 47 C.F.R Section 73.3555(a) for definition of "radio market." ☐ Yes ☒ No

If the answer to 7 or 8 is Yes, set forth in an Exhibit, name of party having interest; nature of the interest; call letters and location of stations involved; and identification of newspaper, where applicable.

Exhibit No.  
**THREE**

9. Does the principal community service contour (predicted or measured 5 mV/m groundwave contour for AM; predicted 3.16 mV/m contour for FM) or any AM or FM station being proposed overlap the principal community service contour of:

(a) an AM or FM station which is directly or indirectly owned, operated or controlled by the applicant or any party to the application; or ☒ Yes ☐ No

(b) an AM or FM station at which more than 15 percent of the broadcast time per week is brokered by the applicant or any party to the application? ☐ Yes ☒ No

If the answer to (a) or (b) is Yes, do you certify that the ownership interests which will result from grant of the application(s) comply with 47 C.F.R. Section 73.3555(a), or that appropriate waivers of that section are herein sought? ☒ Yes ☐ No

If Yes, attach a separate Exhibit containing the market and audience information necessary to demonstrate compliance.

Exhibit No.  
**THREE**

NOTE: With reference to the Radio Contour Overlap Rule of 47 C.F.R Section 73.3555(a), the applicant's Exhibit must include: (i) a map that clearly identifies, by relevant contours, the location and geographic coverage of the market or markets involved; (ii) the number of commercial AM and FM stations counted as being in the market or markets, including a map that shows the principal community contours of the stations that define the market or markets and the principal community contours of all commercial stations intersecting with the principal community contours of these stations; (iii) for markets with 15 or more commercial radio stations, a combined audience share figure, the basis and/or source material for this figure, and the results and qualification of any commissioned audience survey or alternative showing used; and (iv) the call letters and locations of all stations in the market or markets that are, or are proposed to be, commonly owned, operated or controlled, including any AM or FM station in the market for which the applicant or any party to the application brokers more than 15 percent of that station's broadcast time per week.

**Section II - LEGAL QUALIFICATIONS (Page 4)**

10. Does the applicant, or any party to the application, have a petition to migrate to the expanded band (1506-1705 (kHz)) or a permit or license either in the existing band or expanded band that is held in combination with the AM facility proposed to be modified herein?

☐ Yes ☒ No

If Yes, provide particulars as an Exhibit.

Exhibit No.  
**N/A**

11. Does the applicant, any party to the application or any non-party equity owner in the applicant have, or have they had, any interest in:

(a) a broadcast station, or pending broadcast station application before the Commission?

☒ Yes ☐ No

(b) a broadcast application which has been dismissed with prejudice by the Commission?

☐ Yes ☒ No

(c) a broadcast application which has been denied by the Commission?

☐ Yes ☒ No

(d) a broadcast station, the license of which has been revoked?

☐ Yes ☒ No

(e) a broadcast application in any pending or concluded Commission proceeding which left unresolved character issues against the applicant?

☐ Yes ☒ No

If the answer to any of the questions in (a)-(e) above is Yes, state in an Exhibit the following information:

Exhibit No.  
**TWO**

(1) Name of party having interest;

(2) Nature of interest or connection, giving dates;

(3) Call letters of stations or file number of application or docket; and

(4) Location.

12. (a) Are any of the parties to the application or non-party equity owners in the applicant related (as husband, wife, father, mother, brother, sister, son or daughter) to each other?

☒ Yes ☐ No

(b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of any party to the application or non-party equity owner in the applicant have any interest in or connection with any other broadcast station, pending broadcast application or newspaper in the same area (see Section 73.3555(c)) or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.501(a))?

☐ Yes ☒ No

If the answer to (a) or (b) above is Yes, attach an Exhibit giving full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.

Exhibit No.  
**ONE**

13. State in an Exhibit any interest the applicant or any party to this application proposes to divest in the event of a grant of this application.

Exhibit No.  
**NONE**

**Section II - LEGAL QUALIFICATIONS (Page 5)**

**OTHER MASS MEDIA INTERESTS**

14. (a) Do individuals or entities holding nonattributable interests of 5% or more in the applicant have an attributable ownership interest or corporate officership or directorship in a broadcast station, newspaper or CATV system in the same area? (See Instruction C to Section II.)

☐ Yes ☒ No

(b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of an INDIVIDUAL holding a nonattributable interest of 5% or more in the applicant have any interest in or connection with any other broadcast station, pending broadcast application, newspaper in the same area (see Section 73.3555(c)), or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.501(a))?

☐ Yes ☒ No

If the answer to (a) and/or (b) above is Yes, attach an Exhibit giving a full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.

Exhibit No.  
N/A

**CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS**

15. (a) Is the applicant in compliance with of the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (See Instruction D to Section II.)

☒ Yes ☐ No

(b) Will any funds, credits or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents?

☐ Yes ☒ No

If the answer to (b) above is Yes, attach an Exhibit giving full disclosure concerning this assistance.

Exhibit No.  
N/A

16. Has an adverse finding been made or an adverse final action been taken by any court or administrative body as to the applicant, any party to this application, or any non-party equity owner in the applicant, in a civil or criminal proceeding brought under the provisions of any law related to the following:

☐ Yes ☒ No

Any felony; mass media related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination?

If the answer is Yes, attach as an Exhibit a full disclosure of the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), a statement of the facts upon which the proceeding was based or the nature of the offense committed, and a description of the disposition of the matter.

Exhibit No.  
N/A

#### SECTION IV-A - PROGRAM SERVICE STATEMENT

Attach as an Exhibit a brief description, in narrative form, of the planned programming service relating to the issues of public concern facing the proposed service area.

Exhibit No.

#### SECTION IV-B - INTEGRATION STATEMENT

1. List each principal of the applicant who, in the event of a grant of the application on a comparative basis, proposes to participate in the management of the proposed facility and, with respect to each such principal, state whether he or she will work full-time (minimum 40 hours per week) or part-time (minimum 20 hours per week) and briefly describe the proposed position and duties.
2. State with respect to each principal identified in response to Item 1. above, whether the applicant will claim qualitative credit for any of the following enhancement factors:
  - (a) Minority Status
  - (b) Past Local Residence  
If Yes, specify whether in the community of license or service area and the corresponding dates.
  - (c) Female Status
  - (d) Broadcast Experience  
If Yes, list each employer and state the position and corresponding dates.
  - (e) Daytime Preference
  - (f) Civic Activities  
If Yes, describe the activities, specify whether in the community of license or service area, and state the corresponding dates.

Exhibit No.  
**FOUR**

## SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

Does the applicant propose to employ five or more full-time employees?

☐ Yes ☒ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC Form 396-A).

## SECTION VII - CERTIFICATIONS

1. Has or will the applicant comply with the public notice requirements of 47 C.F.R. Section 73.3580? ☒ Yes ☐ No
2. Has the applicant reasonable assurance, in good faith, that the site or structure proposed in Section V of this form, as the location of its transmitting antenna, will be available to the applicant for the applicant's intended purpose? ☒ Yes ☐ No

If No, attach as an Exhibit, a full explanation.

Exhibit No.  
N/A

3. If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.

Name of person contacted: \_\_\_\_\_

Telephone No. (include area code): \_\_\_\_\_

Person contacted: (check one box below:

☐ Owner ☐ Owner's Agent ☐ Other (specify)

4. By checking Yes, the applicant certifies, that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits that includes FCC benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. Section 1.2002(b). ☒ Yes ☐ No

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached Exhibits are considered material representations, and that all Exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section. 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Name <b>Elizabeth Farmer</b>	Signature <i>Elizabeth Farmer P.R.</i>
Title <b>Personal representative of Charles A. Farmer</b>	Date <b>June 12, 1997</b>
Typed or Printed Name of Person Signing <b>Elizabeth Farmer</b>	

**WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).**



**AMENDMENT TO APPLICATION OF CHARLES A. FARMER**

**ELIZABETH FARMER (PERSONAL REPRESENTATIVE OF  
THE ESTATE OF CHARLES A. FARMER)**

**FCC FILE NO. BPH-920518MA - MM DOCKET NO. 93-301  
ILWACO, WASHINGTON**

**EXHIBIT ONE**

**STATUS OF ELIZABETH FARMER**